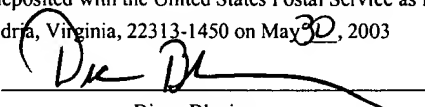




PATENT  
Docket No. 300622000510

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

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Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450 on May 30, 2003

  
Diane Blevins

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Chaitan KHOSLA et al.

Serial No.: 09/740,313

Filing Date: December 18, 2000

For: METHOD TO PREPARE MACROLIDE  
ANALOGS

Examiner: Nashaat Nashed

Group Art Unit: 1652

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**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. A copy of document No. 4 is submitted herewith. Copies of all other documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Numbers 08/846,247 filed April 30, 1997, and 09/311,756, filed May 14, 1999, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This application is a Divisional of copending United States Serial Number 08/846,247, filed April 30, 1997, which is a Continuation-In-Part of United States Serial Number 08/486,645, filed June 7, 1995, now United States Patent Number 5,712,146, which is a Continuation-In-Part of United States Serial Number 08/238,811, filed May 6, 1994, now United States Patent Number 5,672,491, which is a Continuation-In-Part of United States Serial Number 08/164,301, filed December 8, 1993, now abandoned, which is a Continuation-In-Part of United States Serial Number 08/123,732, filed September 20, 1993, now abandoned.

This application also claims the benefit of the filing date of provisional application serial number 60/076,919, filed March 5, 1998.

This application is a Continuation-In-Part of United States Serial Number 09/311,756, filed May 14, 1999, which is a Continuation of United States Serial Number 09/164,306, filed October 1, 1998, now abandoned, which claims benefit of priority to PCT Application No. PCT/US98/14911, filed July 17, 1998, now published PCT number WO 99/03986, published January 28, 1999, which claims the benefit of priority to United States Serial Number 08/896,323, filed July 17, 1997, now United States Patent Number 6,066,721, which is a Continuation-In-Part of United States Serial Number 08/675,817, filed July 5, 1996, now United States Patent Number 6,080,555, which claims the benefit of the filing date of provisional application serial number 60/003,338, filed July 6, 1995. United States Serial Number 09/164,306, filed October 1, 1998, is also a Continuation-In-Part of United States Serial Number 08/896,323, filed July 17, 1997, described above.

This application is related to United States Serial Number 10/213,926, filed August 6, 2002, which is a Continuation of United States Serial Number 09/073,538, filed May 6, 1998, which is a Continuation-in-Part of 08/846,247 described above.

This application is related to United States Serial Number 10/096,789, filed March 12, 2002, which claims priority to United States Serial Number 08/846,247 described above.

This application is related to United States Serial Number 10/340,139, filed January 10, 2003, which is a Continuation of United States Serial Number 09/073,538, described above.

This application is related to United States Serial Number 10/096,790, filed March 12, 2002, which is a Continuation of United States Serial Number 08/846,247, described above.

This application is related to United States Serial Number 09/852,416, filed May 9, 2001, and United States Serial Number 09/859,854, filed May 16, 2001, both of which claim priority to United States Serial Number 09/073,538, described above.

This application is also related to United States Serial Number 09/925,236, filed August 8, 2001, which is Continuation of United States Serial Number 09/263,184, filed March 5, 1999, which is a Divisional of United States Serial Number 08/828,898, filed March 31, 1997, now United States Patent Number 6,022,731, which is a Continuation of United States Serial Number 08/238,811, described above.

This application is also related to United States Serial Number 10/096,724, filed March 12, 2002, which is a Continuation of United States Serial Number 09/755,653, filed January 5, 2001, which is a Divisional of United States Serial Number 09/264,162, filed March 5, 1999, now United States Patent Number 6,215,007, which is a Divisional of United States Serial Number 08/949,943, filed October 14, 1997, now United States Patent Number 5,962,290, which is a Divisional of United States Serial Number 08/486,645, described above.

This application is also related to United States Serial Number 09/263,366, filed March 5, 1999, now United States Patent Number 6,077,696, which is a Divisional of United States Serial Number 08/949,943, described above.

This application is also related to United States Serial Number 09/263,396, filed March 5, 1999, now United States Patent Number 6,214,573, which is a Divisional of United States Serial Number 08/828,898, described above.

This application is also related to United States Serial Number 08/828,887, filed March 31, 1997, now United States Patent Number 5,830,750, which is a Divisional of United States Serial Number 08/238,811, described above.

This application is also related to United States Serial Number 08/829,244, filed March 31, 1997, now United States Patent Number 5,843,718, which is a Divisional of United States Serial Number 08/238,811, described above.

This application is also related to PCT publication number WO 96/40968, published December 19, 1996, PCT publication number WO 95/08548, published March 30, 1995, and PCT publication number WO 98/49315, published November 5, 1998.

This application is also related to United States Serial Number 09/870,012, filed May 29, 2001, which is a Divisional of United States Serial Number 09/434,289, filed November 5, 1999, now United States Patent Number 6,261,816, which is a Continuation of United States Serial Number 08/896,323, described above.

This application is also related to United States Serial Number 09/603,083, filed June 26, 2000, which is a Divisional of United States Serial Number 08/675,817, described above.

This application is also related to United States Serial Number 09/374,711, filed August 13, 1999, now United States Patent Number 6,274,560, which is a Divisional of United States Serial Number 08/675,817, described above.

This application is also related to United States Serial Number 09/602,725, filed June 26, 2000, which is a Continuation of United States Serial Number 08/675,817, described above.

This application is also related to PCT publication number WO 97/02358, published January 23, 1997.

This Information Disclosure Statement is submitted:

- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.

- ☐ A fee is required. A check in the amount of \* is enclosed.
- ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly, a Petition requesting consideration of the Information Disclosure Statement, an authorization to charge our deposit account, and a Certification under 37 C.F.R. § 1.97(e) are provided herein.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 is to the best of my knowledge and is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 300622000510. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: May 30, 2003

Respectfully submitted,

By: Brenda J. Wallach  
Brenda J. Wallach  
Registration No. 45,193

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Facsimile: (858) 720-5125

Form PTO-1449

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 300622000510

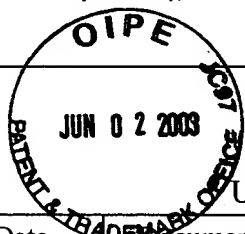
Application Number 09/740,313

Applicant

Chaitan KHOSLA et al.

Filing Date December 18, 2000

Group Art Unit 1652

Mailing Date May 30, 2003

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	10/1998	5,824,513	Katz et al.	435	76	
	2.	03/1999	5,876,991	DeHoff et al.	435	183	
	3.	08/1999	5,945,320	Burgett et al.	435	183	
	4.	10/1999	5,962,290	Khosla et al.	435	183	
	5.	12/1999	6,004,787	Katz et al.	435	183	
	6.	03/2001	6,200,813	Katz et al.	435	477	

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## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.



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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/740,313

Filing Date December 18, 2000

First Named Inventor Chaitan KHOSLA

Group Art Unit 1652

Examiner Name N. Nashed

Total Number of Pages in This Submission

8

Attorney Docket Number 300622000510

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## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment/Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement -  
Supplemental (6 pages)

☐ Certified Copy of Priority  
Document(s)

☐ Response to Missing Parts/  
Incomplete Application

☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53

☐ Assignment Papers  
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional  
Application

☐ Power of Attorney, Revocation  
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ After Allowance Communication  
to Group

☐ Appeal Communication to Board of  
Appeals and Interferences

☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s)  
(please identify below)

PTO 1449 Form (1 page)  
Copy of 1 reference  
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PATENT TRADEMARK OFFICE

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual Name

MORRISON & FOERSTER LLP  
Brenda J. Wallach - 45,193

Signature

*Brenda J. Wallach*

Date

May 30, 2003

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Dated: May 30, 2003

Signature: *Diane Blevins*

(Diane Blevins)